

Amendment  
Serial No. 09/623,643

Docket No. PHD 99-001

REMARKS

Reconsideration and withdrawal of all grounds of rejection contained in the Office Action are respectfully requested in light of the above amendments and the following remarks. New claims 5 and 6 have been added. Claims 1-4 have been amended. Support for new claims 5 and 6 and the amendments to claim 1 can be found in the Specification at least on page 1, lines 20-27 and page 2, lines 23-26. Claims 1-6 are pending herein.

Claims 1-4 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Connell et al. (U.S. 6,998,978, hereafter "Connell").

Applicants respectfully submit that the amendments made to base claim 1 overcome all of the rejections listed above.

For example, base claim 1 has been amended to recite (*inter alia*): a supply unit (1) to apply electric energy to power supply terminals for operating the data-processing circuit from an external energy source and (2) controlling voltage and current at external access points of the data carrier...

Applicants respectfully submit that Connell does not disclose, suggest, or provides an apparatus wherein the supply unit ...controls voltage and current at external access points of the data carrier...

Accordingly, it is respectfully submitted that at least for the reasons indicated above, instant base claim 1 is patentable. With regard to the rejection under 35 U.S.C. §102(e), the Court of Appeals for Federal Circuit has held that:

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A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628,631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

In the present application, it is respectfully submitted that Connell fails to disclose each and every element as set forth in base claim 1. Nor would a person of ordinary skill in the art have found any of the instant claims obvious in view of Connell.

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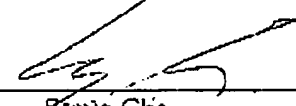
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For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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